

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

VISTA DEL SOL HEALTHCARE

and

**SEIU-ULTCW, SERVICE EMPLOYEES
INTERNATIONAL UNION, UNITED
LONG TERM CARE WORKERS**

**Cases 31-CA-115318
31-CA-115332
31-CA-116096
31-CA-116485
31-CA-116484
31-CA-116487
31-CA-116486
31-CA-116481
31-CA-116483
31-CA-116488
31-CA-116089
31-CA-118685
31-CA-118686
31-CA-118687
31-CA-118682**

ORDER¹

The Employer's petition to revoke subpoena duces tecum B-712357 is denied.

The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v.*

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

Carolina Food Processors, Inc., 81 F.3d 507 (4th Cir. 1996).²

Dated, Washington, D.C., February 27, 2014

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

² In the absence of evidence that would establish the date the Employer received the subpoena, we do not pass on the General Counsel's argument that the petition to revoke the subpoena was untimely filed. See NLRB Rules and Regulations, Sec. 102.31(b), which states in relevant part that "[t]he date of service for purposes of computing the time for filing a petition to revoke shall be the date the subpoena is received."